

Remarks/Arguments

Reconsideration of this application is requested.

Claim Status

Claims 1-20 were presented. Claims 4-10, which are withdrawn from consideration as a result of the previous restriction and election, are canceled without prejudice. Claims 1-3 and 11-20 are amended and remain pending.

Claim Objections

Claim 14 is amended as suggested in the Action to more clearly define the first and second impact forces.

Claim Rejections -35 USC 112

Claims 1-3 and 11-20 are rejected under 35 USC 112, second paragraph, as indefinite. In particular, the Action states that the Examiner is unclear as to what a "saddle-type vehicle" is. In response, applicant submits that the term is self-explanatory, and is also a well known term of art. A saddle-type vehicle is, as the term implies, a vehicle in which the operator is seated saddle style in the seat (see paragraph 0037 of the specification). Nevertheless, in order to advance prosecution of this application, claims 1-3 and 11-20 are amended to recite a "saddle" vehicle rather than a "saddle-type" vehicle. The meaning of the claims is unchanged. A "saddle vehicle", as now recited, is a vehicle in which the operator is seated saddle style in the seat.

Allowable Subject Matter

The Action indicates that claim 17 is allowable if rewritten in independent form and to overcome the rejections under 35 USC 112. Applicant assumes that the Action intended to refer to claim 18 as allowable, since claim 17 is subject to substantive rejections while claim 18 is not. In any event, the indication of allowable subject matter is noted and appreciated.

Claim Rejections – 35 USC 102

Claims 1, 3, 11, 13-17, 19 and 20 are rejected under 35 USC 102(b) as anticipated by Ohsemachi (EP publication 0082496 A1). Claims 1, 2, 11 and 12 are

rejected under 35 USC 102(b) as anticipated by Takagaki (EP publication 0769447 A1). In response, independent claims 1 and 11 are amended to clearly distinguish over Ohsemachi and Takagaki. Moreover, the subject matter added to claims 1 and 11 is believed to be the subject matter responsible for the indication of allowability of dependent claim 18.

Independent claims 1 and 11 are amended to specify that the second portion (3b) of the body frame (3) comprises the pivot support shaft (9), and that the pivot support shaft (9) pivotally supports end portions of the dampers (44). This is best seen in Figs. 1 and 3, where one end of each damper 44 is pivotally coupled to pivot support shaft 9 by a coupler 43 and bracket 47, and the other end of each damper 44 is coupled to the first portion 3a of body frame 3 via coupler 42 and bracket 47. Thus, dampers 44 bridge frame bodies 19 (which comprise body frame 3) and extend and contract in accompaniment therewith, thereby deterring frame bodies 19 from being elastically deformed.

The cited structures in Ohsemachi and Takagaki differ from this construction and do not provide the same advantages (i.e. reduction of elastic deformation of the frame body itself). Shock absorber 23 of Ohsemachi is connected between body frame 1 and rear arm 8, *which are separate frame parts*. Thus, shock absorber 23 may absorb shock or impact from the traveling surface, but since it is connected between separate frame parts, it does not bridge and prevent elastic deformation of a single frame part in the manner claimed by applicant. Takagaki is similarly deficient. Shock absorber 39 and linkage 34 extend between and connect separate frame parts: front chassis 20 and rear chassis 27 to prevent relative rotation therebetween. It does not bridge two portions of a single frame part as claimed by applicant.

Conclusion

This application is now believed to be in condition for allowance. The Examiner is invited to telephone the undersigned to resolve any issues that remain

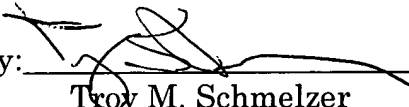
Appl. No. 10/623,473
Amdt. Dated May 20, 2005
Reply to Office Action of December 20, 2004

Attorney Docket No. 89277.0003
Customer No. 26021

after consideration of this response. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: May 20, 2005

By: 
Troy M. Schmelzer
Registration No. 36,667
Attorney for Applicant(s)

500 South Grand Avenue, Suite 1900
Los Angeles, California 90071
Phone: 213-337-6700
Fax: 213-337-6701